

STATE OF CONNECTICUT
DEPARTMENT OF HEALTH SERVICES
BUREAU OF HEALTH SYSTEM REGULATIONS
DIVISION OF MEDICAL QUALITY ASSURANCE

In re:

Roberta Banker, L.P.N.

Petition No. 861003-11-011

CONSENT ORDER

WHEREAS, Roberta Banker of Bristol, Connecticut has been issued license number 011434 to practice as a licensed practical nurse by the Department of Health Services pursuant to Chapter 378 of the General Statutes of Connecticut, as amended; and

WHEREAS, Roberta Banker hereby admits and acknowledges that:

1. During July of 1986 and subsequent thereto, while employed as a nurse at John Dempsey Hospital in Farmington, Connecticut she diverted to herself the controlled substances APAP with Codeine #3, Dalmane, Darvon and Triazolam.
2. During July of 1986 and subsequent thereto she abused said drugs.
3. She is licensed as a nurse only in Connecticut and does not have licensure pending in any other state.
4. The conduct described in 1. and 2. above fails to conform to the accepted standards of the nursing profession in violation of §20-99(b) of the General Statutes of Connecticut.

NOW THEREFORE, pursuant to §19a-17 and §20-99(a) of the Connecticut General Statutes, Roberta Banker hereby stipulates and agrees to the following:

1. That she waives the right to a hearing on the merits of this matter.

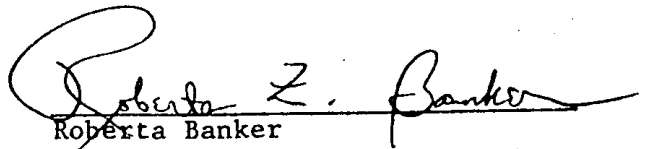
2. That her license number 011434 to practice as a licensed practical nurse in the State of Connecticut is on probation for two years.
3. That her probation is subject to the following conditions:
 - A.
 1. She shall provide a copy of this Consent Order to her therapist.
 2. She shall engage in counseling with a licensed or certified therapist.
 3. She shall be responsible for bi-monthly reports from her therapist for the period of her probation; said reports are due on the first business day of every second month.
 4. Said reports shall include documentation of dates of treatment, and an evaluation of her progress and drug-free status.
 - B.
 1. She shall provide a copy of this Consent Order to her employer upon returning to work as a nurse.
 2. She shall not accept employment as a pool nurse for the period of her probation.
 3. She shall work as a nurse for at least six months during the probationary period.
 4. She shall be responsible for monthly reports from her nursing supervisor (i.e. Director of Nursing) due on the first business day of every month for the first year of her employment during the period of her probation.
 5. She shall be responsible for bi-monthly reports from her nursing supervisor due on the first business day of every second month, for the second year or remainder of her probation.

6. Said reports shall include documentation of her ability to safely practice nursing.
4. That the Connecticut Board of Examiners for Nursing must be informed prior to any change of employment.
5. That the Connecticut Board of Examiners for Nursing must be informed prior to any change of address.
6. All correspondence and reports are to be addressed to:

Office of the Board of Examiners for Nursing
Department of Health Services
150 Washington Street
Hartford, CT 06106
7. That a violation of any term(s) of probation specified in paragraphs 3., 4., or 5. above shall result in the right of the Connecticut Board of Examiners for Nursing to immediately revoke her licensed practical nurse license. Any extension of time or grace period for reporting granted by the Connecticut Board of Examiners for Nursing shall not be a waiver or preclude the Board's right to revoke at a later time. Nor shall the Board of Examiners for Nursing be required to grant future extensions of time or grace periods. Notice of revocation shall be sent to her at her address of record (most current address reported to the Licensure and Renewal Section of the Division of Medical Quality Assurance of the Department of Health Services or to the Connecticut Board of Examiners for Nursing).
8. That this Consent Order is effective the first day of the month immediately following the date said Consent Order is ordered and accepted by the Connecticut Board of Examiners for Nursing.

9. That she understands this Consent Order is a matter of public record.
10. That she understands that this Consent Order may be considered as evidence of the above admitted violations in any proceeding before the Connecticut Board of Examiners for Nursing (1) in which her compliance with this same order is at issue, or (2) in which her compliance with §20-99(b) of the General Statutes of Connecticut, as amended, is at issue.
11. That this Consent Order and terms set forth herein are not subject to reconsideration, collateral attack or judicial review under any form or in any forum. Further, that said order is not subject to appeal or review under the provisions of Chapters 54 or 368a of the General Statutes of Connecticut, provided that this stipulation shall not deprive her of any rights that she may have under the laws of the State of Connecticut or of the United States.
12. That she understands that she has the right to consult with an attorney prior to signing this document.

I, Roberta Banker, have read the above Consent Order, and I agree and admit to the terms and allegations set forth therein. I further declare the execution of this Consent Order to be my free act and deed.


Roberta Banker